

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

United States of America,

CR 06-187 DSD/FLN

Plaintiff,

v.

O R D E R

Michael Riley,

Defendant.

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Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated August 10, 2006, all the files and records, and no objections having been filed to said Report and Recommendation,

**IT IS HEREBY ORDERED** that Defendant's Motion to suppress eyewitness identifications [#17] is **DENIED** and Defendant's Motion to Suppress Statements, Admissions, and Answers [#16] is **GRANTED in part**. The Court orders that any statements that Defendant made prior to having his Miranda rights read to him, and after he asserted his right to an attorney, are suppressed. In all other respects the motion should is **DENIED**.

DATED: September 12, 2006  
at Minneapolis, Minnesota

s/David S. Doty  
JUDGE DAVID S. DOTY  
United States District Court